

FORM PT-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE
(REV. 2-2005)

ATTORNEY'S DOCKET NUMBER

221904-1020

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/522,944

INTERNATIONAL APPLICATION NO.
PCT/CA03/01162INTERNATIONAL FILING DATE
31 July 2003PRIORITY DATE CLAIMED
31 July 2002

TITLE OF INVENTION

PROTEIN TYROSINE KINASE INHIBITORS

APPLICANT(S) FOR DO/EO/US

BROWN et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. EV558410895US
23. ☒ Other items or information:

Return Postcard; Certificate of Express Mail; Credit Card Authorization Form; Copy of Notification of Missing Requirements;
Response to Notification of Missing Requirements; Copy of Notification of Decision Concerning Request for Rectification

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
10/522,944		PCT/CA03/01162		221904-1020	
The following fees are submitted:				CALCULATIONS	PTO USE
24. <input type="checkbox"/> Basic national fee				\$300	\$0.00
25. <input type="checkbox"/> Examination fee					
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4).				\$100	\$0.00
All other situations.				\$200	
26. <input type="checkbox"/> Search fee					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority				\$100	
International Search Report prepared and provided to the Office				\$400	
All other situations.				\$500	\$0.00
TOTAL OF 24, 25 and 26 =				\$	\$0.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)		RATE	
- 100 =	0	/50 = 0		x \$250.00	\$0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =	0	x \$50.00	\$	\$0.00
Independent claims	- 3 =	0	x \$200.00	\$	\$0.00
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00				\$	\$0.00
TOTAL OF ABOVE CALCULATIONS =				\$	\$125.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	\$0.00
SUBTOTAL =				\$	\$125.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	\$0.00
TOTAL NATIONAL FEE =				\$	\$125.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +				\$	\$0.00
TOTAL FEES ENCLOSED =				\$	\$125.00
Amount to be				\$	
Amount to be				\$	
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>20-0778</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input checked="" type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>LINDER, Christopher B. THOMAS, KAYDEN, HORSTEMEYER & RISLEY, LLP 100 Galleria Parkway, N.W., Suite 1750 Atlanta, GA 30339-5948 US</p> <p>SIGNATURE <u>Christopher B. Linder</u> NAME <u>47,751</u> REGISTRATION NUMBER</p>					

08/02/2005
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IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)
UNDER THE PATENT COOPERATION TREATY

In Re Application of: **BROWN et al.**
U.S. Serial No.: 10/522,944 ✓
(Nat. Phase of Int. Appl. No.: PCT/CA03/01162
U.S. Filing Date: January 31, 2005
(Int. Filing Date: 31 July 2003)
Title: . PROTEIN TYROSINE KINASE INHIBITORS
Atty Docket No.: 221904-1020

CERTIFICATE OF MAILING UNDER 37 CFR 1.10

Mail Stop PCT (DO/EO/US)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

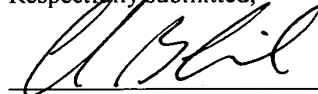
Sir:

Enclosed for filing in the above-captioned International application are the following documents:

1. Transmittal Letter (duplicate copy of fee page);
2. Credit Card Authorization Form;
3. Copy of Notification of Missing Requirements under 35 U.S.C. 371;
4. Response to Notification of Missing Requirements under 35 U.S.C. 371;
5. Executed Combined Declaration and Power of Attorney;
6. Notification of Decision Concerning Request for Rectification; and
7. Return receipt postcard.

The Commissioner is authorized to charge the deposit account No. 20-0778 any additional fees which may be required, or credit any overpayment to Deposit Account No. 20-0778.

Respectfully submitted,



Christopher B. Linder; Reg. No. 47,751
Attorney for Applicant

**THOMAS, KAYDEN, HORSTEMEYER
& RISLEY, L.L.P.**

Suite 1750
100 Galleria Parkway, N.W.
Atlanta, GA 30339-5948
Telephone: (770) 933-9500
Facsimile: (770) 951-0933

I hereby certify that all correspondence listed above are being deposited for delivery to the above addressee, with the United States Postal Service as "Express Mail", under Express Mail Label No. **EV558410895US** service under 37 CFR 1.10 on the date indicated below.

Date:

28 July 2005


Lara L. O'Brien

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Confirmation No. 8403

BROWN et al.

Serial No: 10/522,944

Docket No.: 221904-1020

PCT Filing Date: 31 July 2003

For: PROTEIN TYROSINE KINASE INHIBITORS

RESPONSE TO NOTICE TO FILE MISSING REQUIREMENTS
UNDER 35 U.S.C. 371

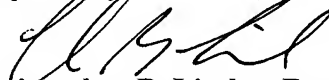
Mail Stop PCT (DO/EO/US)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Requirements mailed on July 20, 2005, the Applicant herewith submits a signed Combined Declaration and Power of Attorney in connection with the above-identified application. We also enclose \$125.00 for additional claims fees.

If the Office believes that additional fees may be required, the Office is authorized to charge any deficiency to Deposit Account No. 20-0778.

Respectfully submitted,



Christopher B. Linder, Reg. No. 47,751
Attorney for Applicant

**THOMAS, KAYDEN, HORSTEMEYER
& RISLEY, L.L.P.**

100 Galleria Parkway, NW, Suite 1750
Atlanta, Georgia 30339-5948

Date: 28 July 2005
Customer No: 24504



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/522,944	FIRST NAMED APPLICANT Martyn Brown	ATTY. DOCKET NO. 221904-1020
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INTERNATIONAL APPLICATION NO. PCT/CA03/01162

I.A. FILING DATE 07/31/2003	PRIORITY DATE 07/31/2002
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Thomas Kayden Horstemeyer & Risley
100 Galleria Parkway, N. W.
Suite 1750
Atlanta, GA 30339-5948

CONFIRMATION NO. 8403
371 FORMALITIES LETTER



Date Mailed: 07/20/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 01/31/2005
- Information Disclosure Statements filed on 01/31/2005
- Small Entity Statement filed on 01/31/2005
- U.S. Basic National Fees filed on 01/31/2005
- Assignment filed on 01/31/2005

SCANNED

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$125 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$125 for a Small Entity:

- Total additional claim fee(s) for this application is \$ 125

THOMAS, KAYDEN
HORSTEMEYER & RISLEY, LLP

JUL 25 2005

Reamt
DOCKETED
Due 9/20/05

- \$125 for 5 total claims over 20.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/522,944	PCT/CA03/01162	221904-1020